

Vacant Station Building within Highgate Underground Station, London

Bat Surveys report

Report for Transport for London (TfL)

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Contents

Summary of Key Findings	1
1 Introduction	2
2 Methodology	6
3 Results	11
4 Evaluation and Impacts	17
5 Summary and Recommendations	19
References	21
Appendix 1: Survey Maps	23
Appendix 2: Photographs	25
Appendix 3: Legislation and Policy	30

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Summary of Key Findings

Temple was commissioned by Transport for London (TfL) in September 2023 to undertake a Preliminary Roost Assessment (PRA) to determine the status of bats and any likely constraints to the demolition of a vacant station building within Highgate Underground Station, London. The vacant station building and immediate surrounding habitat collectively for 'the Site'. This is in support of a planning application for the demolition of the vacant station building following a fire. The PRA was carried out in October 2023, the main findings are as follows:

- The Site is within an overgrown area of the station that makes up part of an abandoned Northern Line Railway Station. Together with the remains of the vacant station building, the Site contains large areas of ruderal/ephemeral and woodland habitat. The Site is well connected to larger habitats, such as ancient woodland, that are suitable for roosting, foraging and commuting bats.
- The vacant station building had been subject to a fire in May 2023, resulting in extensive damage to the attic area as well as the complete destruction of an adjacent annex. No evidence of roosting bats was found during the PRA and the vacant station building was assessed as having negligible suitability for roosting bats.
- The Site was assessed as having high suitability for foraging and commuting bats. There were two tunnels approximately 30m west of the vacant station building that are confirmed hibernation roosts for brown long-eared and natterers bats.
- No further surveys for bats have been recommended before the demolition of the vacant station building. Measures have been recommended to prevent any disturbance to roosting bats in the nearby tunnels. These include measures to suppress noise and generated by demolition from contaminating the roost sites, establishing a 10m exclusion zone in front of the entrance of the tunnels to prevent any plant or equipment from blocking the entrance of the tunnels, or causing vibration to disturb roosting bats, and measures to minimise the impact of artificial lighting, noise, vibration and dust on roosting, foraging and commuting bats.

1 Introduction

BACKGROUND TO COMMISSION

- 1.1 Temple was commissioned by Transport for London (TfL) in September 2023 to undertake a Preliminary Roost Assessment (PRA) of a vacant station building within Highgate Underground Station, London. This is required to support a full planning application for the demolition of the building following a fire in May 2023.
- 1.2 The survey covers the vacant station building as well as an assessment of the habitat surrounding it as indicated in the map in Appendix A (henceforth referred to as 'the Site').

SCOPE OF REPORT

- 1.3 This report provides an assessment of the likelihood that the Site supports roosting bats and outlines any requirement for further survey. It also provides an assessment of the value of the Site for foraging and/or commuting. Where possible, it also outlines any avoidance, mitigation, compensation and enhancement measures as may be required to ensure compliance with legislation and policy.
- 1.4 The assessment is based on the following sources of information, including that obtained from third parties and the results of surveys:
 - a desk study including:
 - a data search from the London Bat Group for bat records within a 2km radius of the Site;
 - an assessment of the surrounding habitats for their likely importance to bats;
 - the presence of any protected areas cited for their bat populations; and
 - the location and status of any nearby European Protected Species Mitigation licensed sites for bats.

- a Preliminary Roost Assessment comprising a detailed building inspection.
- 1.5 This assessment has been prepared with reference to best practice guidance published by the Bat Conservation Trust (Collins, 2016) and as detailed in British Standard 42020:2013 *Biodiversity – Code of Practice for Biodiversity and Development* (BSI, 2013).
- 1.6 This report provides supporting information in the appendices with a georeferenced map of the survey results in Appendix 1 and cross-referenced photographs in Appendix 3.

SITE CONTEXT AND STATUS

- 1.7 The Site is approximately 0.035 hectares (ha) in size, is centred on Ordnance Survey National Grid reference TQ 28572 88179. The Site comprises a vacant station building within the grounds of Highgate Tube Station, which is within a suburban neighbourhood in the London Borough of Haringey. There are several large areas of habitats suitable for bats around the Site and within the Site immediately surrounding the vacant station building. This includes Highgate Woods 160m north-west, a Site of Importance for Nature Conservation (SINC) that contains ancient woodland. Queens Wood is 100m north-east, which is a Local Nature Reserve (LNR). The Site is ecologically connected by dense tree cover to these Sites.

DEVELOPMENT PROPOSALS

- 1.8 The disused vacant station building is planned to be demolished following a fire in May 2023. This structure has been identified as being in a hazardous state and liable to collapse (John Cobb Consulting, 2023). It has been recommended that this structure is deconstructed as soon as possible to eliminate this hazard. No construction will be undertaken during these works and all materials will be removed after demolition. No vegetation clearance is currently planned.

RELEVANT LEGISLATION AND PLANNING POLICY

1.9 The following key pieces of nature conservation legislation are relevant to this assessment. A more detailed description of this legislation is provided in Appendix 3.

- The Conservation of Habitats and Species Regulations 2017 (as amended);
- The Wildlife and Countryside Act 1981 (as amended);
- Natural Environment and Rural Communities Act 2006; and
- The Environment Act 2021.

1.10 The actions that could result in an offence occurring under the above legislation include: the disturbance of bats within (and, in some cases, away from) a roost; loss or damage of a roost; obstructing access to or from a roost; or modification of a roost¹. If development proposals are likely to result in an offence, then a mitigation licence must be obtained from Natural England prior to works, to provide a derogation from the relevant legislation. Alternatively, where no more than three low conservation significance roosts are present and are used by low numbers of bats of no more than three of the (qualifying) species that mitigation licences are most commonly applied for, it may be possible to register the site under the Bat Mitigation Class Licence (BMCL) scheme. No like for like bat compensation is required for the majority of the species covered by BMCL.

1.11 The National Planning Policy Framework (The Department of Levelling Up, Housing and Local Communities, 2023) and The Environment Act 2021 requires local authorities to avoid and minimise impacts on biodiversity and to provide net gains in biodiversity when taking planning decisions. In addition, in England, under Section 40 of the Natural Environment and Rural Communities Act 2006, all public bodies are required to have regard to biodiversity conservation when carrying out their functions.

¹ These actions are inferred from Section 43.1 and 43.2 of *The Conservation of Habitats and Species Regulations 2017* (as amended).

- 1.12 The London Plan (GLA, 2021) places greater emphasis on green infrastructure and proposes that developments should incorporate green infrastructure. Policy G6 states that 'development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain'.
- 1.13 Policy SP13 of the Haringey Local Plan - Strategic Policies 2013 – 2026 describes the requirements from the London Borough of Haringey to protect and enhance biodiversity. Policies KS2 and OS4 of the Highgate Neighbourhood Plan (2017) provides further requirements to protect and enhance biodiversity. Further details of these policies can be found in Appendix 3.

2 Methodology

DESK STUDY

- 2.1 A desk study was conducted to obtain data relating to bats within a 2km radius of the Site, as made available by the London Bat Group from October 2023.
- 2.2 Additional contextual information was compiled from publicly available data sources:
 - MAGIC (<http://www.magic.gov.uk>) – the Government’s on-line mapping service. Information was sought regarding: the presence of ancient semi-natural woodland (ASNW), statutory designated nature conservation sites and extant or historic mitigation licences for bats; and
 - Ordnance Survey mapping and publicly available aerial photography to determine any features such as: running and standing water, woodland, tree lines, hedgerows, railway corridors and the surrounding landscape uses.

PRELIMINARY ROOST ASSESSMENT – BUILDINGS

- 2.3 The PRA consisted of an external inspection of all features/surfaces of the vacant station building. The survey and assessment were undertaken by Jordan Whitcombe, an experienced ecologist with five years’ commercial bat survey experience and who possesses a Natural England Level 2 Class Licence for bats (licence number 2023-11117-CL18-BAT).
- 2.4 The aim of the surveys outlined below is to establish the suitability of the vacant station building within the Site to support bat roosts. The suitability of structures to support roosting bats, ranging from negligible to the presence of a confirmed roost, is assessed using the findings of the survey and the desk study. The following criteria were used to determine the suitability of the buildings for roosting bats (taken from Collins, 2016):

- **Negligible** – While presence cannot be absolutely discounted there were no significant visible features that could be used by bats for roosting.
- **Low** – A structure with one or more potential roost sites that could be used by individual bats opportunistically; however, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e., unlikely to be suitable for maternity or hibernation). A tree of sufficient size and age to contain Potential Roost Features (PRFs) but with none seen from the ground or features seen with only very limited roosting potential.
- **Moderate** – A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).
- **High** – A structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.
- **Confirmed roost** – Evidence indicates a building or other structure is used by bats, for example:
 - bats seen roosting or observed flying from a roost or freely in the habitat;
 - droppings, carcasses and feeding remains indicative of a roost; and
 - bats heard ‘chattering’ inside on a warm day or at dusk.

2.5 The gathered information has been used to inform whether further survey is required in the form of dusk emergence and/or dawn re-entry surveys to fully understand how bats are using the Site and the potential impacts of the proposals

on bats, or whether an assessment can be made on the basis of the building inspection alone.

External Inspections

- 2.6 The survey comprised an external inspection of the vacant station building. This involved a detailed search of all accessible architectural features for bat droppings, urine staining, scratch marks, staining around suitable crevices and feeding remains. Windowpanes and other external surfaces were checked for droppings or other secondary evidence. This included features, such as soffits and fascias, roof lining, brickwork and window casements. Any features that could potentially provide access into internal areas (such as cavity walls) were noted.
- 2.7 The survey methodology followed best practice guidelines (Mitchell-Jones 2004; Collins, 2016). Equipment used during the building inspection included close-focusing binoculars and a high-powered torch.
- 2.8 Finally, the vacant station building was inspected for evidence of/potential for roosting bats.

EVALUATION AND IMPACT ASSESSMENT

- 2.9 Where sufficient baseline data are available, the Site's ecological importance and the conservation status of those species found to be roosting within the Site or for which the Site provides a measurable supporting function; has been evaluated broadly following guidance issued by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2018). This ranks the nature conservation importance of a site according to a geographic scale of reference: international, national, regional (London), county (London), vice-county or other local authority-wide area (The London Borough of Haringey); and of importance at the zone of influence of the Site only. In evaluating the nature conservation importance of the Site, the following factors were considered: nature conservation designations; species/habitat rarity; naturalness; fragility and connectivity to other habitats. Where no importance has been assigned this is due to insufficient information.

2.10 An assessment of likely ecological impacts has been undertaken in accordance with CIEEM guidelines (CIEEM, 2018) only where clear evidence is available to substantiate and justify the findings. In the absence of such evidence, the ecological feature is merely identified as a potential constraint to development. Reference is also made to in the Bat Mitigation Guidelines (Mitchell-Jones, 2004) and Natural England's standing advice and includes a summary of the scale of impact according to roost type and development effect, if known.

DATA VALIDITY AND LIMITATIONS

2.11 It is important to note that even where data are held, a lack of records for a defined geographical area does not necessarily mean that there is a lack of ecological interest; the area may be simply under-recorded.

2.12 Bats are highly mobile animals and can move roost sites both within and between years. Where surveys are not spread throughout the bat active season it is possible that roost sites that are used for a limited time only could be missed, and the detection of small numbers of crevice dwelling species from an inspection alone may remain problematic, particularly where droppings accumulate within an inaccessible void such as a cavity wall or above the roof lining. Where visible and undisturbed, however, evidence of bats inside a building is likely to be detectable throughout the year.

2.13 Data from bat surveys should be considered to be valid for a period of 12-18 months, unless there are any significant changes to the buildings or other habitats within the Site (CIEEM, 2019). Data used to support a mitigation licence application to Natural England must be from the most recent survey season; depending on the timing of the application, this may mean from the same or previous year.

2.14 The vacant station building was assessed as dangerous to enter inside due to the damage from the fire. However, the surveyor could still inspect the interior of the building through open windows and an open hallway. This limitation is not anticipated to have impacted the assessment of the vacant station building suitability for roosting bats.

2.15 The recent fire within the vacant station building may have destroyed PRFs or evidence of bats. However, the remaining PRF could still be inspected to allow assessment of the buildings current suitability for roosting bats and therefore the survey and assessment were not hindered by the fire damage.

3 Results

DESK STUDY

- 3.1 The data search returned over 1520 records of bats within 2km of the Site within the last 20 years. This includes records from serotine, Daubenton's bat, Nathusius' pipistrelle, Brandt's bat, Natterer's bat, Leisler's bat, noctule, common pipistrelle, soprano pipistrelle, brown long-eared bat, unknown pipistrelle species, Nyctalus species, Plecotus species, Myotis species and unknown bat species. These records include hibernation records, field records, roost records, casualties and National Bat Monitoring Programme field survey records. Table 3.1 details the records of roost records within 1km of the Site from the last 10 years.
- 3.2 There were four historic EPSM licence applications within 2km of the Site (Table 3.2).

Table 3.1: Summary of data search results

Species	Distance and Orientation of nearest record	Date of most recent record	Description
Myotis species	130m south	2013	10 hibernation records from Highgate Tunnels and Haringey.
Daubenton's bat	130m south	2013	45 hibernation records from Haringey Tunnel and Haringey.
Natterer's bat	130m south	2013	45 hibernation records from Highgate Tunnel and Haringey.
Unknown pipistrelle species	130m south	2013	10 hibernation records from Highgate Tunnels and Haringey.
Common pipistrelle	130m south	2013	Five hibernation records from Highgate Tunnels and Haringey.
Common pipistrelle	160m south	2013	Three roost records from Highgate Woods.
Brown long-eared bat	130m south	2013	19 hibernation records from Highgate Tunnels and Haringey.
Unknown bat species	130m south	2018	Two hibernation records from Highgate Tunnel.
Soprano pipistrelle	520m north-west	2013	Three roost records from Highgate Woods.

Species	Distance and Orientation of nearest record	Date of most recent record	Description
Soprano pipistrelle	600m north-west	2021	Hibernation record from Haringey.
Soprano pipistrelle	815m north-west	2013	Hibernation record from Highgate Woods.
Common pipistrelle	815m north-west	2013	Two hibernation records from Highgate Woods

Table 3.2 Bat EPSM licences within 2km of the Site boundary

Species	Distance & Orientation	Notes
Common pipistrelle	1.9km west	Historic licence to allow destruction of a resting place for common pipistrelles 2019-39047-EPS-MIT-1.
Common pipistrelle	1.9km west	Historic licence to allow destruction of a resting place for common pipistrelles 2019-39047-EPS-MIT.
Common pipistrelle	1.9km west	Historic licence to allow destruction of a resting place for common pipistrelles 2019-39047-EPS-MIT-2.
Common pipistrelle	2km east	Historic licence to allow destruction of a resting place for common pipistrelles EPSM2010-2225.

Statutory and non-statutory designated sites

- 3.3 The proposed development Site is not subject to any statutory or non-statutory designated sites.
- 3.4 The Site is within 2km of three locally designated sites and one nationally designated sites. These are Queens Wood LNR 150m north-east of the Site, Parkland Walk LNR 200m south-east of the Site, Alexandra Palace and Park LNR 980m north of the Site and Hampstead Heath Wood Site of Special Scientific Interest 1.4km south-west of the Site. Although these locally and nationally designated sites are not designated specifically for bats, they all contain woodland habitats suitable for roosting and foraging bats.
- 3.5 The Site is within 15km of three internationally designated sites. These are Lee Valley Special Protection Area (SPA) and Ramsar 5.5km east and Epping Forest Special Area

of Conservation (SAC) 10.3km east of the Site. Although these two internationally protected sites are not designated specifically for bats, they both contain habitats, such as woodland and wetland, that are suitable for foraging and commuting bats.

- 3.6 The Site is approximately 160m south-east of Highgate Wood, a Site of Metropolitan Importance for Nature Conservation (SMINC). This non-statutory designated site is important for its woodland habitats which supports at least seven bat species and several common pipistrelle and soprano pipistrelle roosts as described in table 3.1 above (City of London Corporation, 2023).

FIELD SURVEY

PRELIMINARY ROOST ASSESSMENT

Overview

- 3.7 The PRA covered the vacant station building within Highgate Station. It also included an assessment of the surrounding habitat.
- 3.8 The results are detailed individually below with a site plan provided in Appendix 1 and supporting photographs in Appendix 2.

Surrounding habitat

- 3.9 The vacant station building is within the grounds of the disused Northern Line Station, which sits on top of the working underground station. The vacant station building is within a largely unmanaged area that is overgrown with ruderal and woodland habitat. There are closed tunnels approximately 30m west of the vacant station building (Appendix 2: Photograph 1.). These are part of the closed tunnels that make up part of the disused Northern Line route. These tunnels are important hibernation sites for Natterer's and brown long-eared bats and are frequently used by Daubenton's bats (Waite, 2005). The area is within a suburban neighbourhood in Highgate. The dense tree cover within and around the Site provides ecological connectivity to larger habitats. These larger habitats include Highgate Wood LNR 160m north-west, Queens Wood LNR 150m north-east and Parkland Walk LNR 200m

south-east of the Site. All three of these of these LNRs contain deciduous woodland and ancient woodland that is suitable for foraging, commuting and roosting bats.

- 3.10 The Site has been assessed as having high suitability for foraging and commuting bats.

Preliminary Roost Assessment survey

- 3.11 The PRA was conducted on the 5th of October 2023 in weather conditions of 17°C, 5/8 cloud, 2/12 wind force and no precipitation.

- 3.12 The vacant station building has been assessed as having negligible suitability for roosting bats. Table 3.3 provides an assessment of the vacant station building.

Table 3.3 Preliminary Bat Roost Assessment

Building Structure /	Description	Potential Roost Features (PRFs)	Factors influencing suitability for bats	Building suitability	Evaluation
Vacant station building	Former station master's cottage constructed within the early-mid 20 th century (Appendix 2; Photograph 2.). This was a single-storey brick building with a slate gable roof. This building formerly had an annex attached to it from the west that was constructed from wooden panels and felt gable roof. A fire in May 2023 has resulted extensive damage to the roof and attic of this vacant station building and the complete destruction of the annex (Appendix 2: Photograph 3.).	- Gap around roof batten on eastern facing wall (Appendix 2: Photograph 4.). - Void within attic space (Appendix 2: Photograph 9.). - Gap between the wall and wooden cladding within the ground level floors (Appendix 2: Photograph 8.).	- Holes within the roof and holes within the eave provided access to the attic space above the ground floor (Appendix 2: Photographs 5. and 6.). However, the recent fire has created extensive damage to the roof and attic space. Any PRF within this space will likely have been burnt or else made unsuitable for roosting bats. Although bats have been found roosting in burnt out structures, the odour and dust/particulates created as a result of the recent fire is likely to dissuade roosting bats from immediately utilising or returning to use this attic space. Charred wood will have absorbed particulates and volatile organic compounds that were created during the fire, which are emitted overtime. This and the soot and ash leave this space inhospitable for roosting bats. Over time these impacts will be negated by weather but it is not thought that enough time has passed for the harmful residual effects of the fire to have stopped. Holes created within the roof will now allow light and precipitation into this	Negligible	Building is not suitable to support roosting bats.

			attic space, further reducing this spaces suitability for roosting bats. - The building was subject to frequent human disturbance by TfL staff and trespassers before and after the fire. - Open windows, doorways and holes within the ceiling provide access into the ground floor rooms. These large access points also allow light, wind and precipitation into the ground floor rooms. - Access to the gaps between the wall and wooden cladding inside the building are likely to have been created as a result of recent asbestos surveys of the building after the fire. As such, it is unlikely that these features will have been present long enough for roosting bats to identify and use them.		
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4 Evaluation and Impacts

EVALUATION

ROOSTING BATS

- 4.1 The desk study identified numerous roost and hibernation records within 2km of the Site. The nearest record was 130m south of the Site. There were four previous applications for a European Protected Species Mitigation Licences, with the nearest 1.9km east of the Site for common pipistrelle.
- 4.2 No evidence of roosting bats was recorded during the PRA of the vacant station building. It was assessed as having negligible suitability for roosting bats.

FORAGING AND COMMUTING BATS

- 4.3 The Site has been assessed as having high Suitability for foraging and commuting bats. However, foraging and commuting bats are not anticipated to be impacted provided that no habitat is lost and that the best practices prescribed below are adhered to.

SUMMARY OF THE SITES IMPORTANCE TO BATS

- 4.4 The Site has been assessed as having high suitability for foraging and commuting bats. There are confirmed roosts (hibernacula roosts within disused Northern Line Tunnels) that support London Priority Bat Species 30m west of the Site.

IMPACT ASSESSMENT

BATS

- 4.5 All British species of bat are listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2017 (as amended). Under this legislation it is an offence to deliberately capture, kill, disturb a bat and to damage or destroy a bat roost.

ROOSTING BATS

- 4.6 Demolition of the vacant station building is not anticipated to directly impact roosting bats. However, demolition may cause temporary, indirect impacts to nearby roosting structures, such as the nearby tunnels in the form of spill from artificial lighting, noise and vibration.

FORAGING AND COMMUTING BATS

- 4.7 The Site was assessed as having high suitability for foraging and commuting bats. However, demolition is not anticipated to result in any loss of habitat and foraging and commuting bats are not anticipated to be impacted as long as the measures below are adhered to.

SUMMARY OF THE PREDICTED IMPACT AT SITE LEVEL

- 4.8 Provided the recommendations to minimise the impact of noise, vibration, artificial lighting and dust control are followed in the recommendations, no significant impacts on roosting, foraging or commuting bats are anticipated.

5 Summary and Recommendations

SUMMARY

- 5.1 No evidence of roosting bats was recorded within the vacant station building on Site during the PRA and the Site was assessed as having negligible suitability for roosting bats but high suitability for foraging and commuting bats due to the presence of vegetation within the Site.

FURTHER SURVEY

- 5.2 No further surveys for bats are required. However, if no development works are carried out within 18 months a follow up survey may be required. In the unlikely event any bat species are found at any time during works all works must stop immediately and an ecologist contacted.

RECOMMENDATIONS

- 5.3 As the vacant station building has been assessed as having negligible suitability for roosting bats, no further bat surveys are required before the demolition of this building.
- 5.4 If demolition is not carried out within 18 months, an update PRA will be required to assess if the suitability of the building has changed and if further surveys are required.
- 5.5 As there are tunnels with confirmed bat hibernation roosts near the disused vacant station building. The surrounding habitat has been assessed as having high suitability for foraging and commuting bats. Mitigations measures have been recommended to accommodate the urgent nature of the demolition whilst minimising any impacts to roosts and foraging habitat within the Site. Measures are recommended to minimise any potential disturbance to bats roosting within the tunnels as well as to minimise the impact on foraging and commuting bats. These include:

- Measures should be implemented to suppress excess noise from equipment and plant during demolition. Equipment and plant should be maintained to reduce the risk of excess noise being generated. Noise barriers should also be implemented if works are likely to generate significant levels of noise;
- Using dust suppression equipment, such as dust screens or dust suppression bowsers, to prevent dust from contaminating any potential roosts;
- A 10m exclusion zone around the entrance of the tunnels should be implemented to prevent the entrance of the tunnels from being blocked and to minimise the risk of vibration impacting roosting bats. This zone can be demarcated with fencing during works. No plant, equipment or materials should be stored within this zone. The location of the tunnels can be found on the PRA map (Appendix 1, Figure 1.)
- Demolition should take place during day light to minimise the risk of disturbance to foraging or commuting bats;
- If this is not possible and works have to be undertaken at night, measures should be implemented to minimise the impact of artificial lighting on foraging and commuting bats. This should include:
 - The use of narrow spectrum light sources to lower the range of species affected by lighting;
 - Use light sources that emit minimal ultra-violet light;
 - Avoidance of white and blue wavelengths of the light spectrum to reduce insect attraction and where white light sources are required in order to manage the blue shortwave length content they should be of a warm/neutral colour temperature (<4,200 kelvin);
 - Avoidance of bare bulbs and any light pointing upwards. The spread of light should be kept in line with or below the horizon. Lighting should not be pointed directly towards the tunnels or any suitable habitat (such as trees or dense scrub) for foraging and commuting bats.

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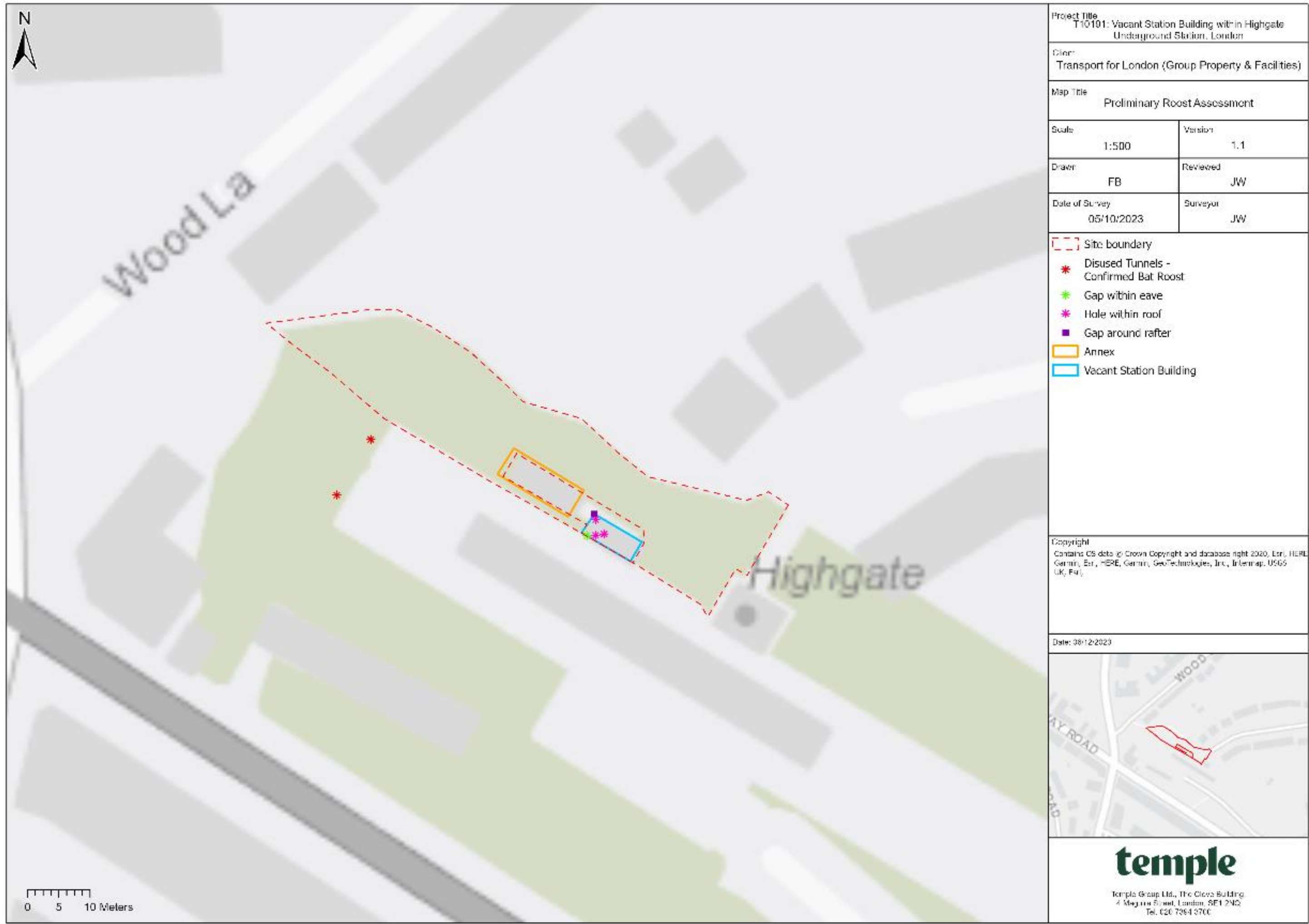
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Appendix 1: Survey Maps

Figure 1: Preliminary Roost Assessment Map



Appendix 2: Photographs

Photograph 1

Entrance of one of the tunnels,
facing north-west.



Photograph 2

View of the vacant station
building, facing north.



Photograph 3

View of remains of the annex,
facing north-west.



Photograph 4

Gap around batten on the
north-western facing wall.



Photograph 5

Gap within eave (circled in red),
facing south-west.



Photograph 6

View of the vacant station building with open window and holes in roof (circled in red) facing north.



Photograph 7

View of interior of the vacant station building.



Photograph 8

Gaps behind cladding (circled in red) left from the recent asbestos survey.



Photograph 9

View of interior of attic space.



Appendix 3: Legislation and Policy

Important Notice: This section contains details of legislation applicable in England and Wales only (i.e. not including Scotland, the Isle of Man, Northern Ireland, the Republic of Ireland or the Channel Islands) and is provided for general guidance only. While every effort has been made to represent the current (at the time of writing) situation with respect to the UK's position outside of the EU and to ensure accuracy throughout, this section should not be relied upon as a definitive statement of the law.

Over the past few years, three important bills have been published which are intended to shape how growing pressures on the environment post-Brexit (post-transition period) are tackled. Both the Agriculture Bill and Fisheries Bill gained Royal Assent in November 2020 and are now the Agriculture Act 2020 and Fisheries Act 2020 respectively; and, more recently, the Environment Bill was passed into law in November 2021, becoming the Environment Act 2021. *N.B. as environment policy is a devolved matter, most of this Act applies to England only.*

A LEGISLATION AFFORDED TO SPECIES

The objective of the EC Habitats Directive² is to conserve the various species of plant and animal which are considered rare across Europe. The Directive is transposed into UK law by **The Conservation of Habitats and Species Regulations 2017 (as amended)** and **The 'Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended)**.

Various amendments to the 2017 Regulations in England and Wales have been made through the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. These changes came into effect on the 1 January 2021 following the UK's departure from the EU and the end of the Transition Period. The changes are largely limited to 'operability changes' that will ensure the Regulations can continue to have the same working effect as before.

² Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora

The Wildlife and Countryside Act 1981 (as amended) is a key piece of national legislation which implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and implements the species protection obligations of Council Directive 2009/147/EC (formerly 79/409/EEC) on the Conservation of Wild Birds (EC Birds Directive) in Great Britain.

Since the passing of the Wildlife & Countryside Act 1981, various amendments have been made, details of which can be found on www.opsi.gov.uk. Key amendments have been made through the Countryside and Rights of Way (CROW) Act (2000).

As well as delivering long-term targets to reduce waste and improve resource efficiency and improve air and water quality targets, the **Environment Act 2021** aims to halt the decline of nature by 2030, mandates Biodiversity Net Gain for developments in England and amends the Wildlife and Countryside Act 1981 (as amended) to introduce an additional purpose for granting a protected species licence in relation to development which is ‘for reasons of overriding public interest’. The Act also introduces the Office for Environmental Protection (OEP), which will be a new public body intended to hold government and public authorities to account, although the government will be able to issue guidance to the OEP on how it enforces policies and legislation.

Some of the key biodiversity elements in the Act that will have a bearing on species protection in the UK include:

- A strengthened biodiversity duty on Local Planning Authorities;
- Biodiversity net gain to ensure developments, including Nationally Significant Infrastructure Projects (NSIP), deliver at least 10% increase in biodiversity;
- Local Nature Recovery Strategies to support a Nature Recovery Network;
- Duty upon Local Authorities to consult on street tree felling;
- Strengthen woodland protection enforcement measures;
- Conservation Covenants;
- Protected Site Strategies and Species Conservation Strategies to support the design and delivery of strategic approaches to deliver better outcomes for nature;

- Introduces the power for the Habitats Regulations to be amended or ‘refocused’ to ‘to deliver creative public policy thinking that delivers results’.

This section does not provide further detail on the Environment Act 2021 as, at the time of writing (November 2021), the Act, in its final form, has not been published and it remains to be seen how and when the various elements will be enacted at a national and local level.

Other legislative Acts affording protection to wildlife and their habitats include:

- Salmon and Freshwater Fisheries Act 1975;
- Deer Act 1991;
- Protection of Badgers Act 1992;
- Wild Mammals (Protection) Act 1996;
- Countryside and Rights of Way (CROW) Act 2000;
- Natural Environment & Rural Communities (NERC) Act 2006;
- The Eels (England and Wales) Regulations 2009; and
- Environment (Wales) Act 2016.

Species and species groups that are protected or otherwise regulated under the aforementioned legislation, and that are most likely to be affected by development activities, include herpetofauna (amphibians and reptiles), badger, bats, birds, dormouse, invasive species, otter, plants, red squirrel, water vole and white clawed crayfish.

Explanatory notes relating to species protected under The Conservation of Habitats and Species Regulations 2017 (as amended), which includes smooth snake, sand lizard, great crested newt, natterjack toad, all bat species, otter, dormouse and some plant, invertebrate and fish species, are given below. **These should be read in conjunction with the relevant species sections that follow.**

- In the Habitats Directive, the term ‘deliberate’ is interpreted as being somewhat wider than intentional and may be thought of as including an element of recklessness.

- The Conservation of Habitats and Species Regulations 2017 (as amended) does not define the act of ‘migration’ and therefore, as a precaution, it is recommended that short distance movement of animals for e.g. foraging, breeding or dispersal purposes are also considered where relevant.
- In order to obtain a mitigation licence for species protected under the Conservation of Habitats and Species Regulations 2017 (as amended), the application must demonstrate that it meets all of the following three ‘tests’: i) the action(s) are necessary for the purpose of preserving public health or safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequence of primary importance for the environment; ii) that there is no satisfactory alternative and iii) that the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

BATS

All species of bat are fully protected under The Conservation of Habitats and Species Regulations 2017 (as amended) through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species (e.g. all bats);
- Deliberate disturbance of bat species as:
 - a) to impair their ability:
 - to survive, breed, or reproduce, or to rear or nurture young; or
 - to hibernate or migrate.
 - b) to affect significantly the local distribution or abundance of the species.
- Damage or destruction of a breeding site or resting place; and
- Keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part thereof.

Bats are also protected under the Wildlife and Countryside Act 1981 (as amended) in respect to sub-sections 9 (4) (b) and (c) and 9 (5) through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance while in their place of shelter (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering or exposing for sale, possession or transporting for purpose of sale.

How is the legislation pertaining to bats liable to affect development works?

The appropriate licence issued by the relevant countryside agency (e.g. Natural England, Natural Resources Wales) will be required for works liable to affect a bat roost or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licence is to derogate from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored.

Though there is no case law to date, the legislation may also be interpreted such that, in certain circumstances, important foraging areas and/or commuting routes can be regarded as being afforded protection, for example, where it can be proven that the continued usage of such areas is crucial to maintaining the integrity and long-term viability of a bat roost³.

PLANNING POLICY

The Highgate Local Plan (2013) is the relevant local planning authority guidance for all developments within the borough. The relevant policy relating to biodiversity is SP13 – Open Space and Biodiversity. It requires;

- New development shall protect and improve Haringey's parks and open spaces. All new development shall:
 - Protect and enhance, and when and where possible, extend the existing boundaries of the borough's Green Belt, designated Metropolitan Open Land, designated Open Spaces, Green Chains,

³ Garland and Markham (2008) Is important bat foraging and commuting habitat legally protected? Mammal News, No. 150. The Mammal Society, Southampton.

allotments, river corridors and other open spaces from inappropriate development;

- Provide amenity space in accordance with the Council's Open Space and Recreational Standards Supplementary Planning Document (SPD);
 - Manage the impact of such new developments in areas adjacent to designated open space;
 - Secure improvements, enhancement and management in both quality and access to existing green spaces;
 - Seek on-site or financial contributions towards open space from new developments as set out in the Open Space and Recreational Standards SPD;
 - Seek to secure opportunities for additional publicly accessible open space especially in those identified areas of Open Space deficiency e.g. in the east of the borough where the quality and amount of provision is poorer as set out in the Council's Open Space and Recreational Standards SPD; and
 - Conserve the historic significance of the borough's designated historic parks and gardens.
- All development shall protect and improve sites of biodiversity and nature conservation, including private gardens through its:
 - Contribution to wildlife and ecological habitats and, where possible, include green and brown roofs, rainwater harvesting, green walls, bird and bat nesting/roosting opportunities;
 - Protection, management and maintenance of existing trees and the planting of new trees where appropriate; and
 - Protection, enhancement and creation of Sites of Importance for Nature Conservation (SINCs) and Local Nature Reserves (LNRs).

- The Council will enhance and improve the borough's green infrastructure through:
 - Implementation of the Haringey Green Grid projects (such as Lordship Recreation Ground Improvements);
 - Working with adjoining boroughs and partners to safeguard the existing Green Infrastructure, to create new green infrastructure and link up sites; and
 - Working with Lee Valley Regional Park Authority to protect and enhance access to the park, its waterside open spaces and habitats, recreational and sporting facilities.
- New development shall provide opportunities for Children's Play Space by:
 - Protecting and enhancing existing play spaces;
 - Making provision for children's informal or formal play space in addition to amenity space provision as set out above;
 - Provide children's informal or formal play space to meet minimum of 3m² as set out in the Council's Open Space Standards SPD and an aspirational target of 10m² as set out in the Mayor's SPG Providing for Children's and Young People's Play and Informal recreation;
 - Ensuring easy access to a range of quality and safe play opportunities for all children and within a practical journey from their home without the need to use public or private transport;
 - Provide play spaces that are attractive, welcoming and engaging for all children and young people, children of both gender, disabled children and children from minority groups in the community; and
 - Securing a financial contribution pursuant to a S106 Agreement towards the provision of Children's Play Space and ensuring its long term maintenance is addressed through planning obligations.
- Developers will need to demonstrate:

- That the potential for play spaces for a range of outdoor activities and across different age groups can be provided on off-site open space(s) which already exist and which are close to the application site;
- They're working with the relevant agencies, community groups and developers to ensure the provision of safe, stimulating play facilities; and
- How they will secure new open spaces and SINCs, through identifying and securing funding to purchase and enhance such sites in areas of deficiency, such that there is a net increase in provision.

Within The Highgate Neighbourhood Plan (2017), Policies KS2 and OS4 provide further requirements for enhancing biodiversity. These include;

- Policy KS2: Former Highgate Station Buildings and Surroundings: Any allocation of land or proposal seeking the reuse and enhancement of the former Highgate Station Buildings will be supported if it is in line with the following principles:
 - V. Where biodiversity protection permits (taking into account the requirements of the local bat population), the development shall make best use of the existing tunnels on site.
- Core Objective 4: Open Spaces and Public Realm: To empower the whole community to protect, enhance and obtain the maximum benefits from Highgate's open space, where this does not harm the existing integrity or character of the open space, whether publicly-accessible or not.
 - SO4.5: To safeguard and enhance the biodiversity of the area's major Open Spaces as listed in 3.4.2, by ensuring that development in the Plan Area does not adversely impact on those spaces, or on the ecologically important network of smaller green spaces.
- Policy OS4: Biodiversity and Highgate's Green Grid

- Development should support the ability of 'Highgate's Green Grid' to act as an element in the local ecological network. The impact of a proposal on the Green Grid will be assessed against its wider benefits to the local area.
- While the composition of garden planting cannot be controlled through policy, any new development or public realm planting project will be encouraged to plant tree species indigenous to the area and, when possible, of genetically local stock, and to undertake, wherever appropriate, the planting of areas conducive to the promotion of the local ecology.

1.14 The Harringey Biodiversity Action Plan (2009) contains an Action Plan for Parks, Housing Estates and Urban Green Spaces. This plan contains a measure for developments to "Protect and enhance features for London BAP priority species, e.g., house sparrows, bats, bees, swift".

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